

STATE OF NEW JERSEY

Hon. William T. Cahill, Governor

Department of Environmental Protection

Hon. Richard J. Sullivan, Commissioner

New Jersey Clean Air Council

John P. Horton, Chairman

Report of the New Jersey Clean Air Council

on

How Citizens of New Jersey Can Fight Air Pollution Most Effectively
with recommendations for action

1971

New Jersey Clean Air Council

Department of Environmental Protection

John Fitch Plaza, Trenton, New Jersey 08625

Honorable Richard J. Sullivan
Commissioner
New Jersey Department of Environmental Protection
Box 1390
Trenton, New Jersey 08625

Dear Commissioner Sullivan:

The New Jersey Clean Air Council is pleased to forward its report on public hearings held pursuant to Title 26:2C-3.3: (h), which states that the Council shall:

"Hold public hearings at least once a year in regard to existing air pollution control statutes, codes, rules and regulations and upon the state of the art and technical capabilities and limitations in air pollution control and report its recommendations thereon to the commissioner ...".

The public hearings held on April 23 and 24, 1971, addressed the question "How can the citizens of New Jersey fight air pollution most effectively?" Testimony was heard from citizens representing themselves, various civic service and citizen action groups concerned with improving air quality, spokesmen of industry and industrial organizations, and representatives of other groups and institutions with interests in air pollution regulations.

The hearings revealed that the dedicated group of New Jersey citizens who are actively pursuing cleaner air are not satisfied with the progress being made in the State. The Clean Air Council was persuaded by the testimony of these individuals and groups that there is considerable room for improvement in the way that government responds to the citizens of New Jersey who are concerned with cleaning up the air. Their concerns and actions can be rendered far more effective and useful by improved governmental action and response. Our report focuses on these potential gains.

Sincerely,

John P. Horton
Chairman

PART I

INTRODUCTION: SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS

PART I: INTRODUCTION AND SUMMARY OF KEY FINDINGS

The preservation of the environment, and in particular the restoration of clean air, has become the concern of an extraordinary number of Americans in the last few years. New Jersey, heavily industrialized and more densely populated than any other state, has been in the forefront on a wide range of environmental issues. Not only has citizen awareness spread rapidly in New Jersey, but the response of State government has, in general, been forceful and creative. Indeed, other states that are just beginning efforts to control pollution frequently look to New Jersey's laws, codes, and administrative structures for guidance in setting up their own programs.

Yet despite strong legislation and a vibrant Department of Environmental Protection with aggressive top-level leadership, that part of the New Jersey citizenry intensely concerned with improving air quality has begun to feel frustrated and, in some cases, ignored. While the Department has been making impressive gains in some areas, it has not been equally successful in: 1) its efforts to inform the public of its actions regularly; and, 2) its efforts to assist the public in translating their concerns into effective and constructive action. An unfortunate gap has developed between the activities of the Department and public perception of those activities. It is primarily with this gap, that of communications with the public sector, that this report deals.

It is important, of course, that the Department continue to pursue the objective of clean air for New Jersey with determination and vigor. This alone, however, is not enough. Because an intelligent and active public is absolutely essential in order to achieve the overall objective of cleaning New Jersey's air, the Department must face the difficult problem of improving relations with its citizen population.

It was in recognition of this difficult problem that the New Jersey Clean Air Council decided to focus its 1971 Public Hearings on the question: "How Citizens of New Jersey Can Fight Air Pollution Most Effectively". The Clean Air Council based this choice of topics on several basic assumptions:

- 1) That a number of citizen clean air groups have organized in New Jersey in response to the growing public concern about air quality;
- 2) That the Council wanted to know more about the activities, strategies, and competencies of these groups, and how State government has responded to their efforts;
- 3) That it is desirable for the New Jersey Department of Environmental Protection and the New Jersey Clean Air Council to assist these concerned citizens in their efforts and, to the extent possible, aid them in improving their effectiveness; and

- 4) That improved air quality will result not only from strong laws, administrative codes, and technical knowledge, but ultimately from the intelligent participation and actions of the citizenry.

Thus, the 1971 public hearings of the Clean Air Council -- held in April at three geographically strategic locations* around New Jersey -- sought to bring forth information on the activities and experiences of citizens and citizen groups involved in fighting air pollution. Specifically, the Council wanted to identify the most pressing concerns of citizens, to learn of their activities, and to evaluate the responsiveness of governmental agencies and offices to these efforts. The following questions were posed to those individuals and groups offering testimony:

1. Have citizen groups been effective in expressing their demands to public officials?
2. Has the New Jersey Department of Environmental Protection satisfactorily responded to the interests and views of the public?
3. Have local groups been able to generate enthusiasm for improved air quality?
4. Is the public willing to pay the costs, financial

* April 23rd at New Brunswick, 10:30 a.m. to 10: p.m.; April 24th at Teaneck, 10:00 a.m. to 4:00 p.m.; April 24th at Haddonfield, 10:00 a.m. to 4:00 p.m.

and social, of cleaner air?

KEY FINDINGS OF PUBLIC HEARINGS

In the course of the hearings, the Council heard testimony from 40 citizens -- most of whom represented groups dedicated to working for cleaner air. In addition, written testimony was received from more than 20 individuals and groups who were not able to attend one of the three hearing sessions. Based on over one thousand pages of oral and written testimony, and on extensive questioning of the witnesses, the Clean Air Council reached the following key findings:

- I. The testimony supported the key finding that, almost without exception, the individuals, business associations, and citizens groups actively working for a better environment in New Jersey expressed their concern that the job of cleaning New Jersey's air was not progressing rapidly enough.
- II. The New Jersey Department of Environmental Protection is considered generally responsive, although lack of communications with concerned citizens on specific actions is clearly damaging the Department's reputation and credibility, and inhibiting effective follow-up.
- III. There exists strong concern among active citizens that there is inadequate staffing and organization, particularly at the local level, for enforcement of air pollution control codes and laws.
- IV. Citizens working for clean air have supported the activities

and recommendations of the Clean Air Council. These citizens feel that they are given insufficient consideration by the Council, and, more critically, that insufficient consideration is given the Council's recommendations by the Department of Environmental Protection.*

There were, of course, many other subjects discussed by citizens to indicate their concerns in areas such as mass transit, open space, automotive pollution, nuclear energy, pesticides, etc. These matters require thorough study and discussion, but are outside the scope of this report, which deals with broader aspects, especially communications.

* These key findings are discussed at greater length in the body of this report.

RECOMMENDATIONS FOR ACTION

The weight of evidence in the testimony persuaded the Clean Air Council that a broad consensus exists among those citizens active in the clean air effort that:

- 1) New Jersey is progressing too slowly in the fight for cleaner air; and
- 2) The positive and constructive involvement of committed citizens is too often made difficult at all levels of government.

The Council therefore makes the following recommendations for action:

I. CONTINUE TO UPGRADE THE ENFORCEMENT CAPABILITIES OF STATE, COUNTY, AND MUNICIPAL AGENCIES RESPONSIBLE FOR ENFORCING AIR QUALITY CODES. THIS CAN BE ACCOMPLISHED BY:

- 1) Educating citizens and groups on how they can determine whether local officials are doing their jobs in enforcing local air pollution control codes and ordinances.
- 2) Expanding the Department's inspection capabilities to include night-time and weekend service.
- 3) Developing a means by which local officials are deputized to enforce certain State control codes and laws.

II. SEEK LEGISLATION REQUIRING AIR QUALITY IMPACT STATEMENTS TO BE SUBMITTED TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION ON ALL NEW PUBLIC AND PRIVATE DEVELOPMENTS OF MAJOR SIGNIFICANCE. THESE STATEMENTS SHOULD BE REVIEWED BY THE COMMISS-

*Jersey Times
deterioration. Rely heavily on press.
speeches. Film in
detail on enf. process.*

*Illegal. Bill
to authorize. Not
good idea. Prefer local ordinances.*

*Effect depends on
common. O.T. policy.
will do week-end
trial period.
Hot line not working*

IONER OF ENVIRONMENTAL PROTECTION, ACTING AS THE STATE'S
CHIEF ECOLOGIST. THE RESULTS OF HIS ASSESSMENT SHOULD BE
WIDELY PUBLISHED PRIOR TO COMMENCEMENT OF WORK ON THE DEV-
ELOPMENT.

III. THE USE AND EFFECTIVENESS OF CITIZEN-INITIATED LITIGATION
AS A DEVICE FOR RAISING AND RESOLVING AIR POLLUTION ISSUES
SHOULD BE INCREASED BY ENACTING LEGISLATION SUCH AS PRO-
POSED BILL A 1268 (IN AMENDED FORM).

IV. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHOULD IMPROVE
THE MECHANISMS BY WHICH CITIZENS ARE INFORMED OF THE AC-
TIONS TAKEN AGAINST POLLUTERS AS A RESULT OF THEIR COM-
PLAINTS.

- 1) Citizen confusion with respect to the enforcement process could be reduced by developing and distributing a clear brochure that traces the process from detection (or complaint) to abatement.
- 2) Complainants should be promptly informed in writing of the results of consent order negotiations with polluters. This should be done prior to the issuance or extension of the consent orders.
- 3) The quality of performance of the Environmental Action Line had to be judged from the few months of its existence prior to the Council's public hearings. Based on reports of this performance, the system should be improved, particularly with respect to following up calls, and informing complainants of what action has been or will be taken.

V. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHOULD IMPROVE
CHANNELS FOR INFORMING CITIZENS ON STATE POLICIES AND PRO-

GRAMS THAT AFFECT AIR QUALITY AND SHOULD INCREASE OPPORTUNITIES FOR CITIZEN INFLUENCE ON THESE POLICIES AND PROGRAMS.

- 1) Maintain and publicize an inclusive mailing list of individuals and groups active in clean air efforts. This list should be used for regular distribution of hearing notices; information on pending air pollution policies, decisions, and actions; press releases, and "pink slips" on enforcement actions, fines, and consent orders. Local newspapers should be included on this distribution list.
- 2) Information on both the damages caused by air and on the costs, financial and social, of abatement should be widely distributed and publicized as it becomes available.
- 3) A list of in-print Department materials should be distributed to citizen groups and educational organizations. These materials should then be made available at the Department's regional offices so that interested parties need not call or travel to Trenton.
- 4) Charges (at cost) for Department publications could be used to defray costs of printing and distribution.
- 5) The Department must, without further delay, make available to the news media an easily understood daily report on ambient air quality in various parts of the State.

VI. THE PERFORMANCE OF THE DEPARTMENT'S OFFICE OF PUBLIC INFORMATION SHOULD BE SHARPLY IMPROVED.

- 1) The Office should be staffed, equipped, and funded to provide effective public information service.

VII. IMPROVE THE EFFECTIVENESS OF THE CLEAN AIR COUNCIL AS A CHANNEL FOR CITIZEN PARTICIPATION BY:

- 1) Promptly filling vacancies on the Council.
- 2) Allocating at least two of the six "general public" seats on the Council to representatives of organized citizens groups for clean air.

- 3) Requiring written response, within 90 days, from the Department of Environmental Protection to recommendations resulting from the public hearings held by the Clean Air Council.
- 4) Improving the mechanisms for communication between the public and the Clean Air Council through such means as more frequent public meetings, wider dissemination of releases summarizing reports and minutes of meetings, and use of radio and television.
- 5) Augmenting the Council's role in encouraging cooperation among citizen groups active in the clean air movement; for example, an annual conference of groups working in this field could be sponsored by the Council in cooperation with the Department.

[illegible]

PART II

DISCUSSION OF KEY FINDINGS



PART II: DISCUSSION OF KEY FINDINGS

Key Finding I: THE TESTIMONY SUPPORTED THE KEY FINDING THAT, ALMOST WITHOUT EXCEPTION, THE INDIVIDUALS, BUSINESS ASSOCIATIONS, AND CITIZENS GROUPS ACTIVELY WORKING FOR A BETTER ENVIRONMENT IN NEW JERSEY EXPRESSED THEIR CONCERN THAT THE JOB OF CLEANING NEW JERSEY'S AIR WAS NOT PROGRESSING RAPIDLY ENOUGH.

The majority of testimony was taken from representatives of citizen groups that have organized in the last few years. These groups are typically organized with municipal or county orientations, although some are regional or statewide in their perspective. It does not appear that any single group has yet emerged as a statewide umbrella organization of citizens or component groups dedicated to combatting air pollution. However, it is possible that New Jersey Citizens' for Clean Air, incorporated five years ago, has the potential to grow into this kind of broadly based organization. A list of the groups which submitted testimony may be found in Appendix B of this report.

In virtually every case, the Council was impressed with the sincerity and dedication of these hard-working active citizens. What is more, the Council was struck by the intensity of feeling among these witnesses that New Jersey has not fulfilled its promise or potential in cleaning up its air. The Council is forced to conclude that individuals and groups that follow developments in this area are, on the whole, dissatisfied with the progress being made.

Citizen participation in air pollution control can be divided into two stages of evolution: want, or dissatisfaction with present policy or the speed with which present policy is being implemented by government; and demand, or want translated into political action directed at influencing government decisions.

Most of the individuals and groups that testified at the public hearings are still at the want stage of politicization; i.e., they recognize the problems of polluted air; many have educated themselves to a fairly sophisticated understanding of air pollution; indeed, some of the groups have already sought to translate their wants into demands by trying to bring pressure and influence to bear on public officials and the various local and state agencies charged with pollution control.

Nonetheless, most of those testifying revealed that they are more advanced in identifying serious pollution problems than in influencing State action or policy. Part of this phenomenon is explained by the relative newness and inexperience of many of these organizations; however, some of the responsibility for their incapacity to influence State action rests with the State government itself.

Key Finding II: THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IS CONSIDERED GENERALLY RESPONSIVE, ALTHOUGH LACK OF COMMUNICATIONS WITH CONCERNED CITIZENS ON SPECIFIC ACTIONS IS CLEARLY DAMAGING THE DEPARTMENT'S REPUTATION AND CREDIBILITY, AND INHIBITING EFFECTIVE FOLLOW-UP.

It is important to emphasize that despite a general sense that the Department is doing a good job, many concerned citizens and groups in New Jersey have developed a strong feeling that some Department officials view them as a nuisance; that the Department does not seek to assist their efforts to fight for cleaner air in New Jersey. This is not to say that most air pollution groups feel that the Department is seeking to thwart their actions (only the negligible minority held this view); rather, these activists held that very little effort is made by the Department to treat citizens groups as allies in the quest for better air. For example, many witnesses expressed concern over the lack of access to meetings between Department officials and individual polluters (such as consent order negotiations). These witnesses believed that citizens have a right to be present at these sessions -- particularly when it is a citizen or group that has registered the particular complaint that initiated State action.

Although many of the problems and frustrations of dealing with the Department articulated by witnesses are undoubtedly attributable to simple political inexperience, the frequent recurrence of similar complaints leads us to conclude that difficulties exist in certain areas of the Department's current structure and personnel. High on the list of problem areas is the Department's Public Information Office. A sizable number of citizens who have taken the time and the trouble to educate themselves in pollution control and to bring their concerns to the attention of public officials, have developed a sense that the Department -- particularly the Office of Public Information -- hinders rather than facilitates their efforts at involvement.

The most frequently heard dissatisfactions were that insufficient information is made available, that public hearings are not publicized widely enough or with adequate advance notice, and that specific citizen complaints are duly registered but no information is forthcoming on follow-up actions taken by the Department. Citizens were also concerned about the difficulty of getting educational materials and data from the Department on a regular basis.

These are not, of course, uncommon complaints. Anyone involved with government agencies hears these criticisms from citizens and groups frequently. However, it is disturbing that the State Department of Environmental Protection seems to have started down the troublesome path of alienating its most natural constituency: those citizens and citizens groups concerned about the environment. Indeed, it was not the Legislature that absorbed the criticism at the public hearings (in fact, a majority of the testimony pointed out how exemplary New Jersey's laws are in this area); nor was the Governor faulted. Rather, it was the Department of Environmental Protection which was charged with impeding the participation of concerned citizens and groups.

In all fairness, one should not overstate the criticism of the Department. Virtually every testifier had something positive to say about the Department, and many witnesses praised the vigorous leadership of the present Commissioner. But the important point to make is this: citizens and groups deeply concerned with cleaning up the air over New Jersey should be the natural allies (in political terms, the constituency) of the Department of Environmental Protection. Too often, how-

ever, some of these groups and individuals feel that they are treated with disdain by the Department. Even if this is not the case in fact, it is indisputably the perception of many of these active people outside of government.

This impression must be corrected quickly and sharply. Nothing could be more detrimental to the process of cleaning up New Jersey's air than a wedge driven between the Department officially charged with that responsibility and the citizens who are well along in organizing themselves to achieve that very same goal.

Key Finding III. THERE EXISTS A STRONG CONCERN AMONG ACTIVE CITIZENS THAT THERE IS INADEQUATE STAFFING AND ORGANIZATION, PARTICULARLY AT THE LOCAL LEVEL, FOR ENFORCEMENT OF AIR POLLUTION CONTROL CODES AND LAWS.

A dissatisfaction frequently voiced at the public hearings focuses on the difficulty of securing adequate and swift enforcement in response to citizen complaints about specific incidents of pollution. Citizens are, by and large, confused by the array of State, regional, and local air pollution control agencies. In addition, they have frequently been frustrated in their attempts to get relief from pollution conditions through complaints to government agencies.

Mrs. Barbara Eiseler, President of New Jersey Citizens for Clean Air summed up the broad consensus of dissatisfaction with the enforcement process when she argued that:

...State inspectors [should] be on call twenty-four hours a day, seven days a week, since polluters are not known to follow eight-hour-a-day, five-day-a-week schedules. We also feel that there are not enough state inspectors and that municipalities are not doing their share to control local programs ...

We have received many complaints from individuals which indicate a public disbelief in the government's ability to control polluters. Those citizens who make persistent complaints about specific industries complain that they are treated with indifference, hostility, or annoyance and are concerned that prompt action is not taken against polluters.

Part of the enforcement dilemma grows out of the inevitable complexity of Department codes and State laws and the fragmentation of the responsibility for enforcement. A pollution violation can fall, either de jure or de facto, within municipal, county, regional, or State jurisdiction. Not only is it difficult for a citizen to know where to turn with his complaint, but it is virtually impossible for him to avoid being referred from agency to agency.*

The problem of blurred citizen perception of enforcement responsibilities is compounded by lack of adequate staff at all levels. Local and county health officers possess inadequate powers, may have insufficient training, and suffer from low visibility. The Department of Environmental Protection, by its own admissions to complainants, has certain deficiencies in enforcement capability, mostly due to an insufficient number of inspectors to respond rapidly to the growing volume of citizen complaints.

Key Finding IV: CITIZENS WORKING FOR CLEAN AIR HAVE SUPPORTED THE ACTIVITIES AND RECOMMENDATIONS OF THE CLEAN AIR COUNCIL

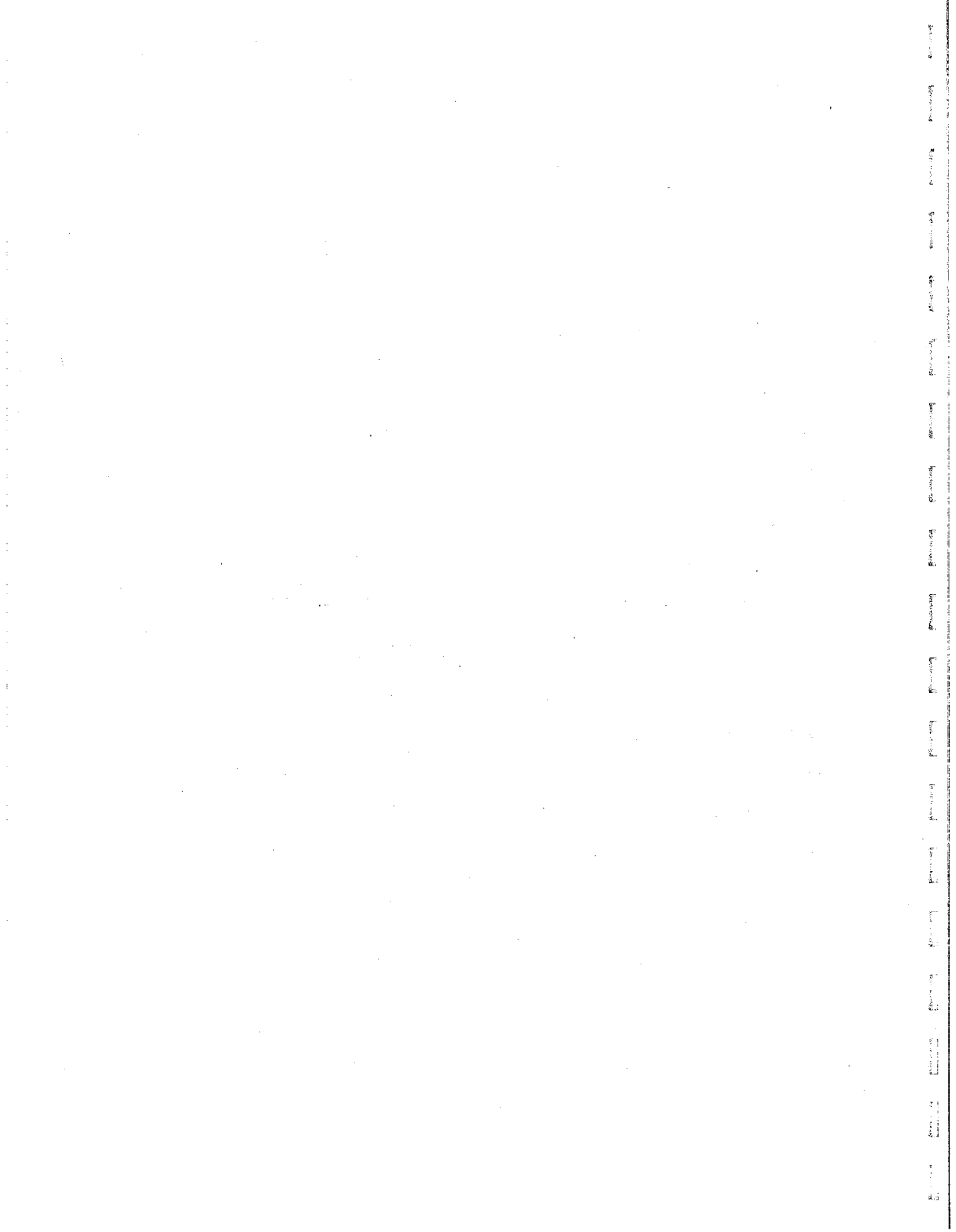
* We recognize that the Department's Action Line was designed to remedy this situation. However, this solution has not been without its own problems, some of which will be discussed in a later section.

BUT FEEL THAT INSUFFICIENT CONSIDERATION IS GIVEN THEM BY THE COUNCIL AND, MORE CRITICALLY, THAT INSUFFICIENT CONSIDERATION IS GIVEN THE COUNCIL'S RECOMMENDATIONS BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION.

Many witnesses praised the Clean Air Council for providing the opportunity for expression of citizen concerns and for recommendations made in past reports. Several groups, however, indicated their concern that they or similar citizen organizations were not represented on the Council, while various industrial and professional organizations were.

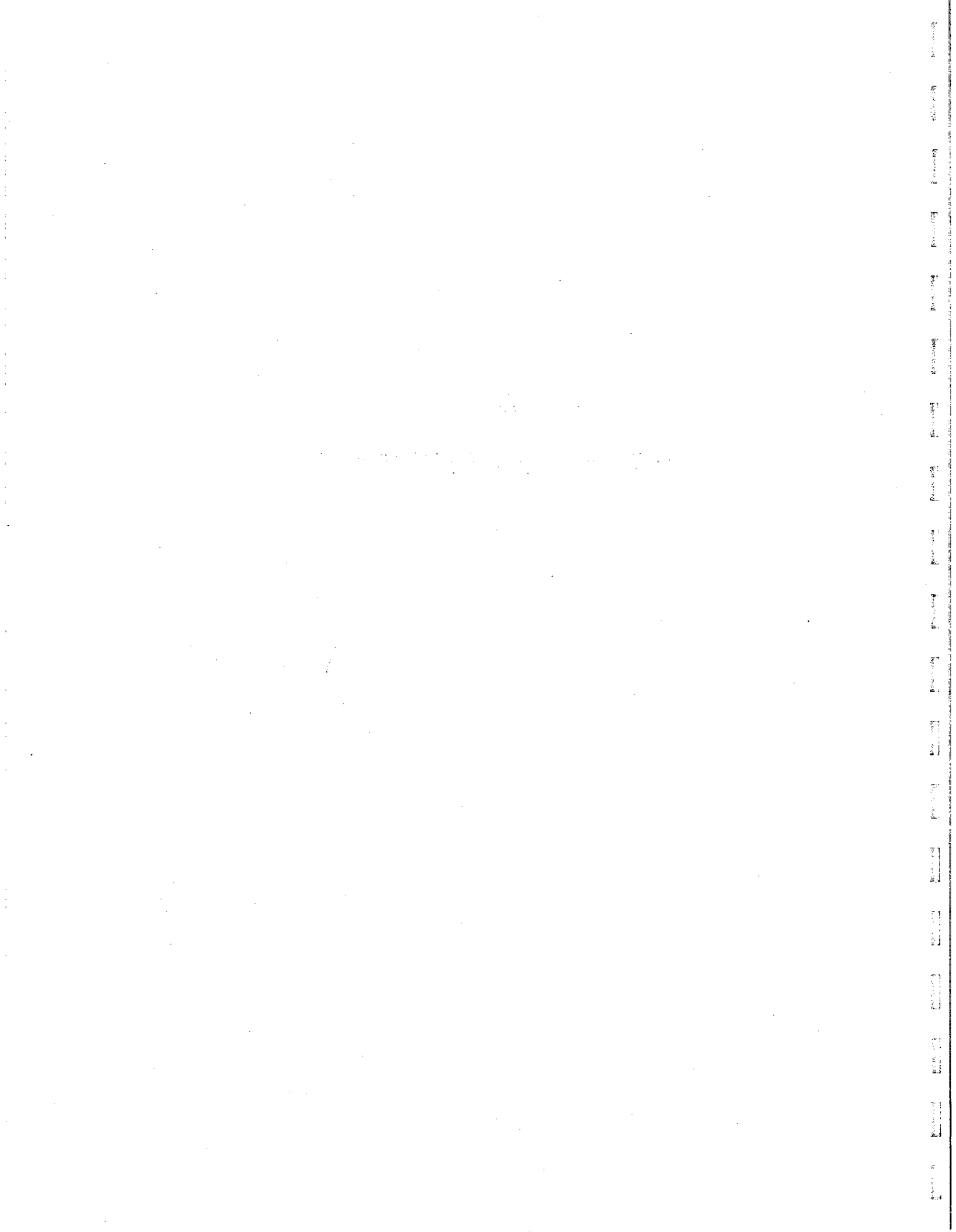
Mrs. Barbara Eiseler, again, put this concern most succinctly: "We wonder if the Council is not weighted too heavily in favor of industry, and suggest that it include more members who are environmentalists."

While praise for past reports and recommendations of the Council was high, several of the groups who follow New Jersey air pollution control policies closely were displeased by the lack of State action in response to the Council's recommendations. Many complained that the Clean Air Council seemed to have only limited success in influencing the Department to do anything about its recommendations. This perception was especially frustrating to concerned citizens because they had hoped that in expressing their views to the Clean Air Council, they had at last found a receptive channel within the State government of New Jersey.



PART III

DISCUSSION OF RECOMMENDATIONS FOR ACTION



PART III: DISCUSSION OF RECOMMENDATIONS FOR ACTION

The Recommendations for Action presented and discussed in this section reflect the thinking and deliberations of the Clean Air Council with respect to the participation of that part of the New Jersey citizenry concerned with better and cleaner air in this densely populated, heavily industrialized state. In every case, we have tried to offer recommendations that promote the positive and constructive involvement of committed citizens and accelerate progress toward cleaner air in New Jersey. These are our major objectives.

In pursuing this goal, however, we have strived to remain well within the bounds of political and administrative feasibility. We believe that our recommendations can be implemented reasonably quickly and decisively -- without fundamental or basic structural alterations in the Department's work or in the air pollution control process. We are firmly convinced that swift action to facilitate the participation of concerned citizens can only serve to strengthen and accelerate the overall effort to restore clean air to New Jersey.

RECOMMENDATIONS FOR ACTION

- I. CONTINUE TO UPGRADE THE ENFORCEMENT CAPABILITIES OF STATE, COUNTY, AND MUNICIPAL AGENCIES RESPONSIBLE FOR ENFORCING AIR QUALITY CODES.

THIS CAN BE ACCOMPLISHED BY:

1. Educating citizens and groups on how they can determine whether local officials are doing their jobs in enforcing local air pollution control codes and ordinances.

2. Expanding the Department's inspection capabilities to include night-time and weekend service.
3. Developing a means by which local officials are deputized to enforce certain state control codes and laws.

Explanation of Recommendation I (1-3)

The public hearings documented many difficulties met by citizens seeking enforcement of air quality codes and ordinances. Some result from lack of clear cut jurisdictions between the various levels of government. Others can be traced to lack of adequately trained personnel at one or more levels. Citizens need to have a simple and visible location of authority for enforcement that is properly equipped and staffed to act against reported violations. For this reason, the Clean Air Council recommends that the enforcement responsibilities of the various levels of government be defined in clear and simple terms and that sufficient staff be provided. Since the Department of Environmental Protection may have difficulty providing enough inspectors to cover local violations while, on the other hand, local officials are not sufficiently trained, some intermediate means should be found for providing enforcement personnel. Some possibilities may exist in making more use of county health officers, perhaps by deputizing them to enforce state codes and laws.

Several witnesses argued that industrial polluters operated within State standards during the day time, Monday through Friday, but that at night and on weekends there were flagrant violations. To eliminate this phenomenon, to whatever extent it exists, the Department should provide increased night-time and weekend inspection staff.

II. SEEK LEGISLATION REQUIRING AIR QUALITY IMPACT STATEMENTS TO BE SUBMITTED TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION ON ALL NEW PUBLIC AND PRIVATE DEVELOPMENTS OF MAJOR SIGNIFICANCE. THESE STATEMENTS SHOULD BE REVIEWED BY THE COMMISSIONER OF ENVIRONMENTAL PROTECTION, ACTING AS THE STATE'S CHIEF ECOLOGIST. THE RESULTS OF HIS ASSESSMENT SHOULD BE WIDELY PUBLISHED PRIOR TO COMMENCEMENT OF WORK ON THE DEVELOPMENT.

Explanation of Recommendation II

The concerned citizen strongly feels that he is not being provided with sufficient information on the environmental impact of government projects. It is widely recognized among individuals and groups concerned with air quality that municipal, state, and the federal governments are major contributors to dirty air. At the state level, one criterion against which the desirability of all new programs and policies should be measured is the impact on air quality. A major step toward accomplishing this is to require the State to issue explicit public statements detailing the effect on air quality of each new program and policy undertaken. This would include, but not be limited to, the areas of transportation planning, public works projects, and new community development.

In addition to evaluating the ecological impact of government projects and programs, the Department should seek legislation requiring any newly constructed private point source within the State to submit an air quality impact statement.

The public and private air impact statements described above should be submitted to the Commissioner of the Department of Environmental Protection,

acting in the role of Chief Ecologist.* The primary responsibility of this office would be the review of public and private development plans in order to assess their impact on the quality of New Jersey's air (and other aspects of the State's environment) and to communicate this impact to the public.

III. THE USE AND EFFECTIVENESS OF CITIZEN INITIATED LITIGATION AS A DEVICE FOR RAISING AND RESOLVING AIR POLLUTION ISSUES SHOULD BE INCREASED BY ENACTING LEGISLATION SUCH AS PROPOSED BILL A 1268 (IN AMENDED FORM).

Explanation of Recommendation III

A number of witnesses suggested that they perceive citizen initiated litigation as an ultimate resort in pursuing specific complaints against polluters. Many advocated passage of New Jersey Assembly bill No. 1268 -- an "Environmental Bill of Rights". This bill has been modeled after the Michigan Environmental Protection Act, which gives every public or private entity the right to sue any other public or private entity in state courts to protect the environment and the "public trust" therein. This mechanism of class action lawsuits by private citizens to forestall environmental damage is under consideration now in at least 29 state legislatures and the United States Congress.

This type of law recognizes that limits exist on what can be accomplished through traditional administrative procedures. Even with proper provision

* The concept and functions of Chief Ecologist were recommended in both the 1969 and 1970 reports of the Clean Air Council. The Council still believes that this office should be established, but in the absence thereof, the Commissioner should assume the functions of Chief Ecologist.

for citizen participation, bureaucratic organizations fail, at times, to act in the public interest or, more frequently, act too slowly to remedy an aggravated situation. The rule of law as achieved through the courts can be a valuable check on this tendency. Unfortunately, however, current laws tend to favor suit by those protecting private interests, even against such state action as enforcement of air pollution codes.

Assembly Bill No. 1268

Passage of Assembly Bill No. 1268 would strengthen the role of the courts in assuring that environmental policies were made equitably, under proper administrative procedures, and in accord with the democratic process. In addition, the courts would be more accessible to citizens seeking judgments on actions that threaten the public trust.

As proposed, Section 1B of A-1268 authorizes a court to direct the adoption of its own standards in situations where it finds inadequate standards set by state agencies. However, rather than risk the proliferation of disparate standards that may well result from many such actions by different judges, it would seem preferable to require that the court refer the standard back to the proper state agency for review and/or revision.

With this amendment, the Council strongly recommends that the Department press for passage of A-1268.

IV. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHOULD IMPROVE THE MECHANISMS BY WHICH CITIZENS ARE INFORMED OF THE ACTIONS TAKEN AGAINST POLLUTERS AS A RESULT OF THEIR COMPLAINTS.

1. Citizen confusion with respect to the enforcement process could be reduced by developing and distributing a clear brochure that traces the process from detection (or complaint) to abatement.
2. Complainants should be promptly informed in writing of the results of consent order negotiations with polluters. This should be done prior to issuance or extension of consent orders.
3. The quality of performance of the Environmental Action Line had to be judged from the few months of its existence prior to the Council's public hearings. Based on reports of this performance, the system should be improved, particularly with respect to following up calls, and informing complainants of what action has been or will be taken.

Explanation of Recommendation IV (1-3)

The public hearings made clear that, to the citizen, the most confusing dimension of New Jersey's drive against air pollution is the enforcement process. Even those witnesses who had developed a broad understanding of the State's laws, codes, and procedures in other areas, had difficulty in grasping the various steps of enforcement. A carefully prepared Department brochure -- tracing all the steps of enforcement and perhaps including a few typical cases -- would serve to elucidate this critical process for the concerned citizen.

Of the component parts of the enforcement process, no doubt the consent order is the most subtle and complex; further, our findings indicate that the consent order is the least understood (and most frequently misunderstood) of the weapons in the Department's arsenal. Whatever the case in reality, a number of witnesses intimated that in their minds the consent order is veiled in secrecy.

The above-described brochure should help to eliminate this impression. Further, the Council believes that the administrative hearing between the Depart-

ment and the offender, without the presence of third parties, offers the Department a means of developing more information, voluntarily, from the offender than would otherwise be brought out, and that the resultant order, consented to by the polluter, is more beneficial to the Department's goal than would otherwise be realized.

However, complainants should be promptly informed in writing of the results of consent order negotiations between the Department and polluters.

This should be done before the official issuance of the consent order so that a citizen may have the opportunity to respond to Department officials. Furthermore, press releases announcing consent orders should be distributed to all groups and organizations on the Master Mailing List and should indicate that photocopies of the consent orders are available upon request at the Department's offices.

*Makes
complainants
litigants,
delays*

Many of the same communications breakdowns that generate confusion about the consent order affect the Department's Action Line, which, based on its performance to the date of these hearings, seemed to have many problems. The only contact that many individuals committed to the cause of clean air have with the Department is through the Action Line. Almost all the testimony we received on this subject indicated that, at best, the complaints were duly registered but no action was apparently forthcoming; or, at worst, complaints were registered only after a "bureaucratic runaround", but no apparent action against polluters was forthcoming.

Unfortunately, much of the good work of the Department was going un-

noticed, while its reputation was being blemished by the performance of the Action Line. Those who take the trouble to call in should be contacted by the Department and informed of what action, if any, will be -- or has been -- taken with respect to the complaint. If the reported polluter is operating under a consent order, for example, then the citizen should receive an explanation to that effect.

We can speculate that at least some of the apparent violations reported to the Action Line are actually industries operating under temporary consent orders. To the citizen who doesn't have this explained to him, however, the Department seems to be ignoring his complaint. He calls again, but when he re-checks the pollution source a week hence, the emissions continue, apparently unabated.

A simple telephone call or letter from the Department explaining the consent order (or whatever action has been taken) could prevent the responsible citizen from becoming irate and preserve the credibility of the Department.

In short, the Clean Air Council believes that the Department is missing an opportunity to inform the concerned public in more detail about the progress it is making. Citizens who take the trouble to register complaints should be provided with the most specific information possible concerning the status of the violations they report and the actions taken. When they are provided with only general assurances and then discover no improvement in the reported situation, only ill-will toward the

Department and frustration, possibly leading to apathy, on the part of the citizen are created.

V. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION SHOULD IMPROVE CHANNELS FOR INFORMING CITIZENS ON STATE POLICIES AND PROGRAMS THAT AFFECT AIR QUALITY AND SHOULD INCREASE OPPORTUNITIES FOR CITIZEN INFLUENCE ON THESE POLICIES AND PROGRAMS.

1. Maintain and publicize an inclusive mailing list of individuals and groups active in clean air efforts. This list should be used for regular distribution of: hearing notices; information on pending air pollution policies, decisions and actions; press releases, and "pink slips" on enforcement actions, fines, and consent orders. Local newspapers should be included on this distribution list.
2. Information on both the damages caused by air and on the costs, financial and social, of abatement should be widely distributed and publicized as it becomes available.
3. A list of in-print Department materials should be distributed to citizen groups and educational organizations. These materials should then be made available at the Department's regional offices so that interested parties need not call or travel to Trenton. *Not lasting interest; current issues are available on request*
4. Charges (at cost) for Department publications could be used to defray costs of printing and distribution.
5. The Department must, without further delay, make available to the news media an easily understood daily report on ambient air quality in various parts of the State.

Explanation of Recommendation V (1-5)

A number of responsible witnesses suggested that current Department of Environmental Protection practices appear to impede citizen participation. Notices of public hearings on new codes, for example, are not always widely distributed; often, when groups and individuals do receive notice of hear-

ings, they are so late that insufficient time is available for preparation of high quality testimony.

Indeed, the weight of testimony convinced the Council that in recent months the problem of information dissemination from the State has grown progressively worse. Press releases have become less frequent and contain only skeletal information; there has apparently been a reduction in the number of issues of the New Jersey Environmental Times; circulation of "pink slips" on Department enforcement actions has been either reduced or discontinued.

To correct these deficiencies, the Council urges that the Department of Environmental Protection compile a master mailing list of all New Jersey citizen groups and organizations active in the fight for clean air. Then, all relevant notices and information -- including those items mentioned above -- should be sent to all organizations on the mailing list on a regular basis.

Another critical area in which the Department must strive to augment public awareness is the relationship between the costs of air pollution and the costs of improving air quality. In its public hearings, the Council repeatedly sought responses to the question: "Are citizens willing to pay the costs of clean air?"

While most of the clean air groups answered with a facile "certainly", too many of the individuals and groups testifying naively spoke of clean air as an "inalienable right" without attached costs. The public must understand that clean air is not a cost-free good, but an expensive pub-

lic good; that is, clean air is not only something that the public wants, but must pay to get. Whether the price arises in higher taxes, increased consumer prices, or sacrifices in life style, the public must be educated to understand that clean air is not without a sizable price tag.

The Atlantic City Electric Company, for example, testified that it was receiving a growing number of complaints about the rising cost of electric power. According to the company spokesman, a major portion of the cost increase is due to the new pollution codes, especially the code regulating sulphur content of fuels.

On the other side, however, the citizen ought to understand better that dirty air is costing him a great deal -- higher health bills and health insurance rates; decreased longevity; higher maintenance and cleaning costs; lower crop yields; and a deteriorating quality of life. Yet these costs are not sufficiently isolated to be connected directly with air pollution in the public mind. It is the job of the Department's Public Information Office to guide the citizen to this connection.

To strengthen the Department's role as educator, wide dispersal of educational materials should be adopted as an important goal. Additionally, these materials ought to be available at regional offices so that interested parties need not call or travel to Trenton. If a shortage of funds is a substantial deterrent to wider dissemination of Department literature and documents, then the Council suggests that virtually every group testifying indicated that it would be more than willing to pay these charges.

Finally, the Clean Air Council is convinced that an easily understood index of ambient air quality would be a valuable advance in the Department's effort to educate the public. This index should be made available to newspapers and media in various parts of the State on a daily basis.

The Council hastens to point out that it does not consider the development of an index which meets our criteria an easy task; in fact, existing indices in other States are clearly deficient. However, the Council knows that the problems of evolving a clear and specific index are not insurmountable. Indeed, the Department has a head start in this direction in that it currently collects the raw data necessary to produce such a measure.

In undertaking this project, the learning capacity of the public should not be underestimated. The Council believes that after a short while, citizens will become knowledgeable in associating specific levels of various pollutants with different conditions. In the same way that he now knows that a noontime temperature of 90 degrees F. means an uncomfortably hot day, the layman will come to recognize that certain levels of sulphur dioxide, carbon monoxide, and particulate matter are acutely unhealthy. In other words, by publicizing daily readings for several key pollutants, with accompanying explanations of standards, the Department could quickly increase citizen awareness of air quality in New Jersey.

VI. THE PERFORMANCE OF THE DEPARTMENT'S OFFICE OF PUBLIC INFORMATION
SHOULD BE SHARPLY IMPROVED.

1. The Office should be staffed, equipped, and funded to provide effective public information service.

Explanation of Recommendation VI

The Council fully understands that the Public Information Office of the Department of Environmental Protection is understaffed and underfunded. Nonetheless, those members of the Council who had to rely on that Office for support and assistance in arranging the 1971 public hearings were regularly faced with delay and frustration. While cooperative and often polite, the Public Information Office rarely met its commitments and caused the Clean Air Council embarrassment by completing and mailing hearing notices a full month after the agreed-upon date. More than a few witnesses protested the absence of time to prepare testimony that resulted from the Office's incapacity to meet its commitments.

The shortcomings of the Public Information Office are particularly serious in a Department that must depend heavily upon a citizenry that is educated on complex issues. Indeed, an upgraded Office of Public Information is essential for the implementation of Recommendation V (1-5) above. Funds, staff, and equipment should be provided for this upgrading.

VII. IMPROVE THE EFFECTIVENESS OF THE CLEAN AIR COUNCIL AS A CHANNEL
FOR CITIZEN PARTICIPATION BY:

1. Promptly filling vacancies on the Council;

*Involve own action
Submit budget req. at approp. time*

[Signature]
Concur. Welcome
assistance
in develop.
P.I. material

2. Allocating at least two of the six "general public" seats on the Council to representatives of organized citizens groups for clean air;

Believe OK as presently constituted

3. Requiring written response within 90 days, from the Department of Environmental Protection, to the recommendations resulting from public hearings held by the Clean Air Council;

4. Improving the mechanisms for communication between the public and the Clean Air Council through such means as more frequent public meetings; wider dissemination of releases summarizing reports and minutes of meetings, and use of radio and television;

5. Augmenting the Council's role in encouraging cooperation among citizen groups active in the clean air movement. For example, an annual conference of groups working in this field could be sponsored by the Council in cooperation with the Department.

*Reasonable -
from receipt,*

Explanation of Recommendation VII (1-5)

Many citizens view the Clean Air Council as a channel for information, as a sounding board for expression of concern on general issues of State air pollution control policy, and as a vehicle through which State policies and actions can be influenced. The testimony revealed that citizen groups have high expectations regarding the Clean Air Council; indeed, a large number of witnesses began their presentations by complimenting the Council on its choice of topic this year and by expressing hope that the Council would become the regular conduit for citizen and group participation in the Department's efforts to better the air. The membership of the Clean Air Council recognizes, however, that some changes must be made in the Council's structure and functions if it is to fulfill these legitimate expectations of New Jersey residents.

Of primary importance is the actual composition of the Council and the interests represented by Council members. A number of witnesses pointed

out that not only do long-unfilled vacancies exist on the Council, but that none of the present members represent specifically the environmental action groups that have organized in New Jersey over the past few years. Even the six members who hold the "general public" seats on the Council do not necessarily bring to the group the perspective of the citizen environmental action groups.

This situation could be alleviated if vacancies were promptly filled, and filled by the appointment of representatives of these hard-working, highly committed citizen groups of the type heard at the public hearing. More specifically, the Clean Air Council recommends that at least two of the six "general public" seats be allocated (as vacancies become available) to representatives of citizen organizations working for cleaner air. We are persuaded that the Clean Air Council could derive an enormous benefit from the knowledge, experience, enthusiasm, and perspective of these representatives. Furthermore, the members of the constituent groups would be provided with a well-deserved voice on an important public body.

A critical aspect of the strengthening of the Council as a channel for communications between State government and the concerned public is the extent to which the public sees its messages "getting through". For this reason, the Council recommends that written response be made by the Department of Environmental Protection to all recommendations submitted by the Council within a predetermined time. This systematic response will be an important step forward in letting citizens know that their voice is being heard.

The more general question of the Clean Air Council's role as intermediary between concerned citizens and the Department of Environmental Protection was naturally a recurrent theme of the public hearings. While the Council membership readily acknowledges that it does not have the staff or resources to become a day-to-day liaison between individual citizens with complaints or reports of specific violations and the Department, there is strong feeling that the Council ought to adopt a more systematic role as a vehicle through which organized groups may gain access to the policy-level of the Department. If, for example, a particular citizen organization has been continually frustrated in its attempts to bring State action against a polluter, that organization should be able to turn to the Clean Air Council for assistance. In another case, the Council may be able to help a group that believes the State is pursuing a futile policy in a certain area or that the Department is neglecting a particular city or region in its enforcement program.

A budgetary allocation is needed to permit performance of this intermediary function. These funds would be primarily directed to activities specifically oriented toward established clean air groups and concerned citizens.

With such funds, the Clean Air Council could undertake another vital function: citizen education and dissemination of information. It is particularly important that the Council make a special effort to provide information to citizen groups, since these organizations -- unlike the industrial, labor, and professional groups with whom they must work

(and compete) -- typically do not have paid staff support. Therefore, in light of the abundant testimony that it is presently difficult to gain information regarding actions of the Department, the Council must take special care to help keep these groups informed and up to date. Similarly, the Clean Air Council should keep interested citizens informed of its own activities and decisions. Local and statewide citizen organizations are the Clean Air Council's natural constituency. Bringing them closer to the Council will have the dual advantage of educating and informing the groups and increasing the effectiveness and responsiveness of the Council.

Finally, the Clean Air Council should undertake the key function of bringing local clean air groups into closer communication with each other. Although there surely are sensible and legitimate reasons for a wide spectrum of citizen clean air groups around the State, the Council should assist the groups in averting the inevitable pitfalls of fragmentation of effort and intelligence. To encourage whatever potential exists for sharing information and experiences, and to foster economies of scale, the Council should receive funds to hold an annual conference of groups and organizations working in the clean air field.

The specific functions legally required of the Council were specified in the statute which established the Council. Where legislation is necessary to authorize the Council to undertake any of the expanded functions listed above, such legislative changes should be sought by the Department.

APPENDIX A

BACKGROUND OF THE NEW JERSEY CLEAN AIR COUNCIL

1911

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APPENDIX A

BACKGROUND OF CLEAN AIR COUNCIL

The Clean Air Council was created in the New Jersey State Department of Health by the enactment of Titles 26: 2C-3.1 to 2C-3.3, which amended the Air Pollution Control Act of 1954.

Title 26: 2C-3.1 abolished the Air Pollution Control Commission and transferred its functions to the Department of Health. The Air Pollution Control Commission, functioning from 1954 to 1967, promulgated New Jersey Air Pollution Control Code Chapters I through VIII, which codes still are enforced by the Division of Clean Air and Water.

Title 26: 2C-3.2 established the 17 - member Clean Air Council and prescribed its composition. The current members of the Clean Air Council are:

John P. Horton, Chairman
Irwin S. Zonis, Vice Chairman
Roslyn Barbash, M.D.
Richard D. Chumney
Franklin W. Church
James W. Conlon
Eugene Deutsch
Frank J. Dodd
Robert J. Haefeli
John J. Hanson
Stephen F. Lichtenstein
Raymond M. Manganelli, Ph.D.
James H. Rook
Arthur R. Sypek
3 vacancies

Title 26: 2C-3.3 sets forth the duties and powers of the Clean Air Council. The Council's basic function is to assist the State of New Jersey

in the prevention and elimination of air pollution by reviewing the performance of the Division of Clean Air and Water and by acting to stimulate public concern in air pollution matters. The Council's members are commissioned to investigate all aspects of New Jersey's Air Pollution Control Program and to report their findings and recommendations to the Commissioner of Health.

The Clean Air Council held its first meeting in September, 1968.

Since that time, the Council has been actively involved in carrying out its mandated functions. Accordingly, under Title 26: 2C-3.3: (h), which states that the Clean Air Council shall: "Hold public hearings at least once a year in regard to existing air pollution control statutes, codes, rules and regulations and upon the state of the art and technical capabilities and limitations in air pollution control and report its recommendations thereon to the commissioner ...", four days of public hearings were held in February and March, 1969; three days of hearings in April, 1970; and three days of hearings in April, 1971.

APPENDIX B

LIST OF SPEAKERS AT APRIL 1971 PUBLIC HEARINGS

1911

APPENDIX B

First Day -- April 23, 1971: Rutgers University, New Brunswick

1. Bureau of Air Pollution Control, Department of Environmental Protection -- William A. Munroe, Chief
2. New Jersey Clean Air -- Mrs. Barbara Eiseler, President
3. Raritan Valley Environmental Council -- Mrs. Joseph Rosenstein
4. Atlantic City Electric Company -- John D. Feehan, Vice President
5. League of Women Voters of New Jersey -- Mrs. Frank Rooney, Director
6. Eagleton Institute -- Cooper Bright
7. Eagleton Institute -- Toivo Lamminen
8. Tuberculosis & Respiratory Disease Association -- Mrs. Adolf Robison
9. New Jersey Manufacturers Association -- Joseph J. Cordiano, Chairman, Committee for Air and Water Quality
10. New Jersey Manufacturers Association -- David Lloyd, Secretary, Committee on Air and Water Quality
11. Citizens for Conservation -- Mrs. Betty Little
12. Central Jersey Regional Air Pollution Control Agency -- George L. Wasser, Executive Director
13. Central Jersey Regional Air Pollution Control Agency -- Raoul Rabiner, Past Chairman
14. Earth Volunteers -- Edward Druback
15. Middlesex County Advisory Council on Environmental Protection -- Raymond Fagen

Second Day -- April 24, 1971: Teaneck, New Jersey

1. Environment! New Jersey -- Mrs. Anne Hunter
2. New Jersey Chamber of Commerce -- William Bradley, Chairman,
Air Pollution Control Committee
3. Railroad Subcommittee, Transit Commission Bergen County --
Frank C. Barry, Chairman
4. Englewood League of Women Voters -- Mrs. Eleanor Lubin
5. Englewood - Ridgewood Junior League -- Mrs. Rosita Morgan,
Mrs. Albert Lamb, Mrs. Joseph Krakora
6. Better Air for Bergen -- Mrs. Betty Scheckman
7. Better Air for Bergen -- Mrs. Betty Jordain
8. Miss Judi Bogart
9. League for Conservation Legislation -- Frank Oliver, President
10. Students for Environmental Action, Fairleigh Dickinson Univer-
sity, Teaneck -- Charles Cooper, Chairman
11. Students for Environmental Action -- Beverly Popek
12. Students for Environmental Action -- Jill Danziger
13. Students for Environmental Action -- Loretta Sullivan
14. Suburban Air Pollution Commission -- Thomas Pluta
15. Gerhart P. Langhans

Second Day -- April 24, 1971: Haddonfield, New Jersey

1. Community Air Pollution Committee of Southern New Jersey (CAPCOM) --
R. Neil Cornan, Director
2. CAPCOM -- Mrs. Patricia MacDonald
3. CAPCOM -- Ted Coyle
4. CAPCOM -- Mrs. Elizabeth Klein

- 5.. Delaware - Raritan Tuberculosis & Respiratory Disease Association -- James D. May, Jr.
6. Rutgers - Camden School of Law, Anti-Pollution Project, and the Morris County Concerned Citizens for Clean Air and Water -- Robert Heineman
7. New Jersey State Medical Society -- Dr. E. Spencer Paisley
8. League of Women Voters of Camden County -- Mrs. Richard Miller

ACKNOWLEDGEMENTS

Professional technical support to the New Jersey Clean Air Council during its public hearings and in drafting this annual report was provided by Mr. Lawrence P. Goldman. Mr. Goldman is currently Director of Undergraduate Urban Activities and Lecturer in Public Affairs at the Woodrow Wilson School of Public and International Affairs, Princeton University.

Assisting Mr. Goldman was Mr. H. Theodore Heintz, who was, at the time of the writing, a graduate student at the Woodrow Wilson School.

This support was provided under a professional services contract between Lawrence P. Goldman and the State of New Jersey.

MEMORANDUM

DATE February 1, 1972

TO: Thomas M. Leonard

FROM: David J. Shotwell

SUBJECT: Report of the New Jersey Clean Air Council, 1971

This report has considerable merit and several recommendations which should be implemented by the Department and Bureau. However, I would like to express my personal views and opinions on the report, based on the "Recommendations for Action."

"Recommendations for Action"

- I Continue to upgrade the enforcement capabilities of State, County and Municipal Agencies responsible for enforcing air quality codes.

Comments: A. There is a definite lack of clean cut jurisdictions between the various levels of government. This not only applies to general public's concept, but to the agencies themselves. In many cases there is overlapping jurisdiction resulting in a clear cut duplication of effort, and thus a waste of manpower. Delegation of authority is the key to this problem.

B. The lack of adequately trained personnel is a direct result of the rapid growth of the Bureau and the lack of training of new recruits.

C. The Department should provide increased night-time and weekend inspection staff. This can and should be done. However, just hiring a lot of men is not the total answer. As a taxpayer, I am against the indiscriminant growth of government agencies as is the present case. It appears that the workload of an agency in general has no effect on its rate of growth. (Expansion of agencies has been noted when the need for and demands on the agency have diminished.) The answer in the case is a combination of the hiring of new men and better utilization of existing talent both within the Bureau and within outside agencies.

- II Seek legislation requiring air quality impact statements to the Department of Environmental Protection on all new public and private developments of major significance.

Comments: This is an excellent recommendation. However, at the present time, we are, in reality, unable to inform the public as to existing conditions, let alone to inform them of the impact of new installations.

- III The use and effectiveness of citizen initiated litigation as a device for raising and resolving air pollution issues should be increased by enacting legislation such as proposed Bill A-1268 (in amended form).

Comments: The right of the individual to seek damage in a court of equity of paramount importance and should be entirely independent of any governmental action.

- IV The Department of Environmental Protection should improve the mechanisms by which citizens are informed of actions taken against polluters as a result of their complaints.

Comments: A. Not only should the enforcement process be explained to the public, but also should many of our policies. In many cases our policies lack understanding by those who administer them and/or frequently change unannounced. This results not only in confusion without the Bureau but within.

B. Complainants should be informed of every aspect of our actions against companies. If there has been no action they should be truthfully told why there was no action.

C. The Action Line is only as good as the information given it, or the action taken or complaints it has passed on. The responsibility for breakdown of the Action Line must be borne by the Bureau.

- V The Department of Environmental Protection should improve channels for informing citizens on state policies and programs that affect air quality and should increase opportunities for citizen influence on these policies and programs.

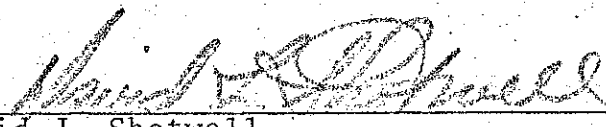
Comments: The best way for the program to achieve its goals is to get public backing. Apparently we are failing in this aspect. We, must inform the public of not only our activities, but also the causes and efforts of air pollution; in short, the Bureau's reason for being.

- VI The performance of the Department's Office of Public Information should be sharply improved.

Comments: The words "sharply improved" are an understatement. Again we are discussing the problem of lack of communication. However, everyone working for the Bureau should be an "Office of Public Information". However, due to a severe lack of communication between sections within the Bureau, ignorance of its functions develop, and we cannot act as effective spokesmen for the Bureau.

- VII Improve the effectiveness of the Clean Air Council as a channel for citizen participation.

Comments: The Clean Air Council, from the text, of this report, is about our only public sounding board, and apparently an excellent one at that. After all, we are a service agency and must serve the public in accordance with their needs and desires. If we fail in our obligation to the public, the reason for our existence is no longer present.


David J. Shotwell
Principal Environmental Specialist
Permits & Certificates Section

cc: Munroe